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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,042

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Aki Niemi

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EXAMINER

HUSSAIN, TAUQIR

ART UNIT

PAPER NUMBER

2452

NOTIFICATION DATE

DELIVERY MODE

12/28/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary	Application No. 10/510,042	Applicant(s) NIEMI ET AL.	
	Examiner TAUQIR HUSSAIN	Art Unit 2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9,20-30,32,33,35-38,40-43 and 45-47 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9,20-30,32,33,35-38,40-43 and 45-47 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This office action is in response to amendment /reconsideration filed on 09/01/2009, the amendment/reconsideration has been considered. Claims 1, 2, 20, 36, 38, 41, 43, 46 and 47 have been amended. Claims 31, 34, 39 and 44 have been canceled and therefore, claims 1-9, 20-30, 32, 33, 35-38, 40-43 and 45-47 are pending for examination, the rejection cited as stated below.

Response to Arguments

2. Applicant's arguments have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-9, 20-30, 32, 33, 35-38, 40-43 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Truetken et al (Pub No.: US 2003/0067887 A1), hereinafter "Truetken" in view of Vassllovski et al. (Pub. No.: US 2003/0012170 A1), hereinafter "Vassllovski" and further in view of Zintel et al. (Pub No.: US 2002/0035621 A1), hereinafter "Zintel".

2. As to claim 1, 36, 41 and 46-47, Truetken discloses, receiving, **by a receiver**, session initiation protocol message transporting one of at least two types of message

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service at single address (Truetken, Fig.2, element-41, [0019], where message includes, web phone, chat, email and streaming video and of obviously there has to be a receiver to receive these messages at the same device which is equivalent to a single address), a first message service being real-time and a second message service being bulk (Truetken, Fig.2, element-43, 45 [0019], where chat or web phone is a real-time message service and video streaming is a bulk message service), wherein the session initiation protocol message comprises a control portion (Truetken, [0007], where message gives control to the calling party or the called party to control the invitation dialog).

Examiner notes that even though it is imperative that every message has a header portion which comprises of message ID and protocol, however Truetken does not disclose the said limitation explicitly.

Vassllovski however discloses, wherein the control portion comprises an identification of the type of message service transported by session initiation protocol message (Vassllovski, Fig.6, element-100, Abstract, where messages having headers that are extended to include information related to OTA protocol and further [0008], A communication system includes a Session Initiation Protocol (SIP) header that contains information which is derived at least in part from an over-the-air (OTA) protocol message from a wireless communication device).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Truetken with the teaching of Vassllovski in order to provide a communication method includes using extended

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session initiation protocol (SIP) headers to transmit over-the-air (OTA) protocol parameters within an infrastructure that uses voice over Internet Protocols (VOIP), such that a protocol other than VOIP need not be used within the infrastructure to effect call set-up between a wireless communication device and another communication device via the infrastructure.

Truetken and Vassilovski however are silent on disclosing explicitly, an expiration time field value wherein the value of the expiration time field value is configured to identify type of message service.

Zintel however discloses, an expiration time field value wherein the value of the expiration time field value is configured to identify type of message service (Gandhi, [0362], we institute the timeout feature of GENA subscriptions. The scenario is this: A UCP subscribes to a CD, then the UCP reboots. Meanwhile, the CD is still trying to send notifications to that UCP. If the UCP never comes back, the subscription would be leaked because the UCP never told the CD that it was going away. So to correct this, each subscription request includes an arbitrary timeout value which indicates to the CD that the UCP will be re-subscribing every n seconds indicated in the timeout header of the subscription request. If the timeout expires on the CD, the subscription is removed. The UCP is required to re-subscribe before the timeout period has elapsed.).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Truetken, Vassilovski with the teachings of Zintel in order to provides an integrated set of addressing,

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naming, discovery and description processes (herein also termed "self-bootstrapping") that enables automatic, dynamic and ad-hoc self-setup by devices to interoperate with other devices on a network. This permits a computing device when introduced into a network to automatically configure so as to connect and interact with other computing devices available on the network, without a user installation experience and without downloading driver software or persisting a configuration setup for connecting and interacting with such other computing devices.

3. As to claim 20, is rejected under for same rationale as applied to claim 1, 36, 41 and 46-47 above. Additionally Vassllovski further discloses the core concept of forwarding message to appropriate network/server, direct SIP messages of the second message service type to the second application server (Vassllovski, Fig.1, element, 38, 28 and 42, 32 [0026], where message is directed to appropriate server according the header information).

4. As to claim 2, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 1 above including, processing a SIP message in dependence on the identification in the control portion of the SIP message (Vassllovski, [0013], where SIP is processed independent of protocol used within infrastructure which does not effect call set-up).

5. As to claims 3, 23 and 42, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claims 1, 20 and 41 above including, wherein the

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control portion is a header of the SIP message (Vassllovski, [0013], where SIP has a header information which is equivalent to a control portion).

6. As to claims 4, 24, 40 and 45, are rejected under same rationale as applied to claim 3 above.

7. As to claims 5 and 25 Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 1 and 20 above including, processing said SIP message by an application associated with the first message service type (Truetken, [0019], where telephony client generally includes a common user interface 33 that communicates with an application interface 35).

8. As to claim 6, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 5 above including, wherein the SIP message transports the second type of message service and wherein, the application associated with the first message service type forwards the SIP message to an application associated with the second messages service type (Truetken, [0024], where application interface 35 uses information provided by the user to configure the way it uses other application to perform requests initiated from the helper applications, which is first message triggers the second application for further processing).

9. As to claim 7, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 1 above including, wherein the first type of message service is dependent upon instant delivery (Truetken, [0026]), where SIP invite message

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is received at the called party which is equivalent to Instant delivery) and the second type of messaging service is dependent upon reliable delivery (Truetken, [0026], where after receiving the SIP invitation, the called party client displays the invitation dialog box which identifies the calling party and the requested media type, which is equivalent to a reliable delivery).

10. As to claim 8, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 7 above including, wherein the second type of message service is at least one of short message service, an extended message service and a multimedia service (Truetken, Fig.2, Element-43, 45, 47 and 49 etc).

11. As to claim 9 is rejected for same rationale as applied to claim 7 above.

12. As to claim 33, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 1 above including, utilizing the control portion to identify the type of message service transported by the session initiation protocol message (Vassllovski, Fig.7, [0021], where SIP header describes the type of message service to be transported).

13. As to claim 35, is rejected under for same rationale as applied to claim 7 above.

14. As to claims 21 and 22, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 20 above including, wherein the apparatus comprises an internet multimedia subsystem application server (Truetken, [0004], where video streaming message means there is a multimedia server included in the system).

15. As to claim 26, is rejected under same rationale as applied to claim 9 above.
16. As to claim 27, is rejected under same rationale as applied to claim 7 above.
17. As to claim 28, is rejected under same rationale as applied to claim 8 above.
18. As to claim 29, is rejected under same rationale as applied to claim 7 above.
19. As to claim 30, Truetken, Vassllovski and Zintel discloses the invention substantially as in parent claim 1 above including, wherein the apparatus is configured to utilize the control portion to identify the type of message service transported by the session initiation protocol message (Vassllovski, Fig.6 and Fig.7, [0013], where SIP has a header information which is equivalent to a control portion and header information contain the message ID type).
20. As to claim 32, is rejected under for same rationale as applied to claim 10 and 20 above.
21. As to claim 37, is rejected under for same rationale as applied to claim 3 above.
22. As to claims 38 and 43, are rejected under for same rationale as applied to claim 30 above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on 571 272 6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. H./

Examiner, Art Unit 2452

/THU NGUYEN/

Supervisory Patent Examiner, Art Unit 2452